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C O N F I D E N T I A L SECTION 01 OF 04 NEW DELHI 002095

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TAGS: [CVIS](#) [PREL](#) [PHUM](#) [PGOV](#) [KIRF](#) [ASEC](#) [IN](#)

SUBJECT: ANGRY BJP REACTION TO MODI VISA DENIAL; OTHERS
PRAISE IT

REF: A. NEW DELHI 2094

[B](#). STATE 47876

[C](#). MUMBAI 756

Classified By: DCM Robert O. Blake, Jr. for Reasons 1.4 (B, D)

[1](#). (C) Summary: The March 18 USG revocation of Gujarat Chief Minister Narendra Modi's visa has set off strong criticism in the BJP, and prompted the Foreign Secretary to call in the DCM to lodge a protest (Ref A), followed by an MEA statement expressing its "deep concern and regret." The BJP reacted immediately, with its spokesman denouncing the move as "condemnable" and "an insult to the nation." Not all reaction has been negative, however, with Congress politicians, human rights activists and Christian and Muslim leaders welcoming the move. Modi remains unpopular inside and outside his party, and we expect few outside the BJP to defend him. Mission closed FCS and USEFI offices in Ahmedabad as a precaution, convened an EAC (Septel), and is monitoring reactions in Hindu nationalist quarters to gauge the likelihood of anti-American violence. This incident will chill our relations with the Gujarat government and the BJP, but we expect no other serious or longterm national consequences. End Summary.

[2](#). (C) In an attempt to explain the decision (Ref B) to the BJP leadership before the news hit the wires, DCM called former Foreign Minister Yashwant Sinha on March 18 to inform him of the impending denial and revocation (Sinha had called DCM the previous day on behalf of Modi to press for a timely decision). Drawing from press guidance, the DCM reviewed the reasons for the action. Sinha accepted the explanation calmly, but noted that the USG process did not allow Modi the opportunity to express his side of the case, which amounted to a "conviction without trial." The DCM replied that the decision was based in part on the assessments of Indian organizations, including the independent National Human Rights Commission (NHRC). Sinha expressed appreciation for the heads-up. The DCM also informed MEA Acting Joint Secretary (Americas) Renu Pall of our impending decision, who

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expressed thanks for the advance notice.

The CG's Revocation

[3](#). (C) The Consul General called in Gujarat New Delhi Resident Representative Aral Meena to explain the decision to deny Chief Minister Modi's A2 visa and revoke his valid B1/B2 visa. Meena was also given a sealed letter addressed to Modi formally notifying him of the decision. Before returning the passport, the Consul General cancelled Modi's B2 visa issued in 1998 (valid until June 2008). Modi's A2 application was also refused under section 214b. A name check failed to return a Department hit for Modi under Section 212 (a)(2)(G), and the NIV system does not permit overseas posts to make this entry. Consul General decided, therefore to enter a P2G quasi-refusal in Modi's name. Post recommends that Department make the formal CLASS entry and remove (CLOK) our temporary quasi refusal entry.

[4](#). (C) Meena appeared genuinely shocked that the visa had been denied, and perhaps more than a little concerned at having to pass on the bad news. Although clearly not acting on instructions, he urged the CG to let Modi present his case, and requested that the USG discuss the matter with the GOI, arguing that Modi was a good friend to the US, and that this step would have a negative impact on the India-US relationship.

[5](#). (C) CG explained that while we recognized the sensitivity of this issue, it was a decision based in law and not foreign policy or other considerations. The decision reflected only the fact that US law required denying entry to the United States to any foreign government official who was believed to have been responsible for particularly serious violations of others, religious freedom. Meena pushed again for an opportunity for Modi to present his case, or for the Embassy to discuss the matter with the GOI. CG replied that the Embassy is always willing to discuss sensitive issues with the government, and if Mr. Modi wished to write to us we would pass his concerns to Washington. CG stressed, however, that this decision had been very carefully considered and that Meena should not leave with the impression that it was

likely to be reconsidered.

Media Frenzy Follows

16. (U) Following the revocation, Indian media carried largely factual reports based on Department's press guidance, noting that A2 visa was denied "because Modi was not coming for the purpose that qualified him for the visa," and that the revocation of his B2 visa was a result of US law that prohibits issuance to anyone "responsible for or who directly carried out at any time, particularly severe violations of religious freedom." One report characterized the matter as "a stinging snub" to the Chief Minister.

Angry BJP Response

17. (U) The BJP reacted almost immediately, with party VP Mukhtar Abbas Naqvi describing the step as "condemnable and serious," adding that "we do not need a certificate from any government. We are proud of our religious freedom and democracy. This is not only an insult to Gujarat or Modi. It is an insult to the nation." Naqvi demanded that the GOI "take up this issue" with the USG, asking whether it had been discussed with Secretary Rice during her recent visit to New Delhi. In a formal statement to the press, Sinha noted: "I am surprised that the US Government has taken a unilateral view on this. While the question of issuing a visa is the sovereign right of any nation, the reasons they have given are unacceptable. Coming to such a decision without consulting or taking into account the views of the Gujarat Government is unacceptable." Modi supporters reportedly protested in the Gujarat administrative center Gandhinagar, calling on their compatriots to boycott American products and bar U.S. citizens from the state.

Modi Angry

18. (U) In a 1400 press conference, Modi thanked the Indian community in the US for inviting him, characterizing his visa revocation as "an insult to 50 million Gujaratis and the Indian Constitution, and an attack on Indian sovereignty." He asked how the USG could interfere in India's internal affairs, especially since no American or international court has found his government guilty of any crime. Modi berated the US for maintaining "double standards" by preventing him from entering, while treating Pakistani President Musharraf as an "honored guest, despite the fact that Pakistan-sponsored terrorism had killed many Kashmiris and forced Kashmiri Pandits (Hindus) from the state. Urging the GOI to "rise above politics" and intervene on his behalf, Modi pledged to write to PM Manmohan Singh to "take up the matter."

Others are Not

19. (U) Arjun Modhvadia, head of the Congress delegation in the Gujarat Legislative Assembly, was quick to assign blame to Modi himself for the visa denial, saying "People the world over know that Modi has been involved in human rights violations by orchestrating the Gujarat riots. The visa denial is the direct fallout of his tainted image."

Positive Reactions from Mumbai

10. (C) Yogesh Kamdar, VP of the Indian People's Union for Civil Liberties, told Mumbai Pol/Econ Chief that secular forces across India would applaud the decision. At the same time, the USG should expect a critical, differentiated reaction to the decision, even among observers, like himself, who have the sense that "justice has been done" to Modi. To many Indians, the decision will look very selective, and will not appear as a "normative or moral" action, Kamdar predicted. Commentators from across the political spectrum will probably ask why Modi was picked out "as there at least 10,000 leaders like Modi who have committed similar crimes," such as Pakistani President Musharraf or former Pakistani PM Benazir Bhutto, yet nobody would expect the USG to deny visas to such leaders. The USG should therefore prepare itself to address such criticism in India in the coming weeks, he advised. Predicting that the decision would strengthen Modi's position in his political battles against rising opposition within his own party in Gujarat (Ref C), Kamdar observed that the BJP may have disliked Modi, but Gujaratis are close-knit and clannish and will rally around their leader when they think he is under attack from outsiders.

11. (C) Maharashtra-based Human rights activist Javed Anand called Mumbai's Pol/Econ Chief soon after the first TV reports to thank the USG. Anand and his wife Teesta Setalvad head a civil rights NGO that was instrumental in moving the Indian Supreme Court to re-open criminal investigations into

the 2002 Gujarat killings, and edit "Communalism Combat," a bi-monthly magazine devoted to investigative reports on communal relations in India. Anand said the decision would remind India that the world had not forgotten the Gujarat riots and that those responsible still need to be held accountable. A Muslim who is normally very critical of USG human rights policy, Anand predicted that Muslims in India and elsewhere would applaud the decision, which he called "a step that re-establishes our faith in American democracy." Anand predicted that many Indian secularists will fax their support to the Embassy and the Consulate. He quoted one elated human rights activist as saying: "This decision is in the tradition of Jefferson and Lincoln." In a call to Congen Mumbai, Urdu newspaper publisher Moin Ahmed called the revocation "a very good step," noting that "we are going to thank the US government in tomorrow's edition."

12. (C) Adil Bagadia, the Muslim owner of a large construction and engineering company in Ahmedabad, told Mumbai Pol/Econ Chief that the decision was the major topic among mosque visitors during Friday prayers. For most Muslims the decision was a great news, he reported. Based on Modi's mindset and that of his supporters, the decision would have come as a shock and a jolt to them, Bagadia commented. While officially many BJP officials in Gujarat will speak of outrage and insult, they will be concerned that other countries could follow the USG lead and ban Modi, or that they, too, could also risk losing their ability to travel to the United States. Modi's supporters reportedly were worried that the opposition to him at the state level was not dissipating, despite continued strong backing from BJP party chief LK Advani. The USG decision would only increase their insecurity, Bagadia alleged. The announcement would therefore probably strengthen Modi's position in the short term, but it is yet another stain on his image that could be exploited in the medium term by the growing number of BJP members who opposed Modi, Bagadia stated.

Mission Takes Precautions -----

13. (C) Although there have been no reports of anti-American violence, DCM convened the Emergency Action Committee (EAC) to discuss the potential for threats against the Mission, its employees, or US interests generally, ordered the closure of the FCS and USEFI offices in Ahmedabad as a precautionary measure, and issued a Warden Message urging Amcits to "keep abreast of news reports regarding reaction to the US Government's decision and to avoid any area in which demonstrations may arise." Post will closely monitor developments to determine the likelihood, if any, of violence.

Comment -----

14. (C) The Congress-led UPA government now finds itself in the awkward position of defending one of its harshest opponents, but its protest appears to be more in the order of going through the motions in "the national interest" than a spirited defense of Modi. The BJP will also close ranks behind Modi, although his many opponents within the BJP will privately applaud his predicament, while making pro-forma protestations of outrage. In private, India's secular parties (whether allied with the BJP or not) will likely express a range of views, from euphoria to indifference, but will be careful about their public comments, as they consider this to be a BJP problem. Although this incident will chill our relations with the Gujarat government and the BJP, we do not expect serious or longterm national consequences.

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